

Union Calendar No. 289

111TH CONGRESS
2^D SESSION

H. R. 4451

[Report No. 111-505]

To reinstate and transfer certain hydroelectric licenses and extend the
deadline for commencement of construction of certain hydroelectric projects.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2010

Mr. MURPHY of Connecticut introduced the following bill; which was referred
to the Committee on Energy and Commerce

JUNE 14, 2010

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 13, 2010]

A BILL

To reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Collinsville Renewable*
 5 *Energy Promotion Act”.*

6 **SEC. 2. REINSTATEMENT OF EXPIRED LICENSES AND EX-**
 7 **TENSION OF TIME TO COMMENCE CONSTRUC-**
 8 **TION OF PROJECTS.**

9 *Subject to section 4 of this Act and notwithstanding*
 10 *the time period under section 13 of the Federal Power Act*
 11 *(16 U.S.C. 806) that would otherwise apply to Federal En-*
 12 *ergy Regulatory Commission projects numbered 10822 and*
 13 *10823, the Federal Energy Regulatory Commission (re-*
 14 *ferred to in this Act as the “Commission”) may—*

15 (1) *reinstate the license for either or each of those*
 16 *projects; and*

17 (2) *extend for 2 years after the date on which ei-*
 18 *ther or each project is reinstated under paragraph (1)*
 19 *the time period during which the licensee is required*
 20 *to commence the construction of such projects.*

21 *Prior to reaching any final decision under this section, the*
 22 *Commission shall provide an opportunity for submission*
 23 *of comments by interested persons, municipalities, and*
 24 *States and shall consider any such comment that is timely*
 25 *submitted.*

1 **SEC. 3. TRANSFER OF LICENSES TO THE TOWN OF CANTON,**
 2 **CONNECTICUT.**

3 *Notwithstanding section 8 of the Federal Power Act*
 4 *(16 U.S.C. 801) or any other provision thereof, if the Com-*
 5 *mission reinstates the license for, and extends the time pe-*
 6 *riod during which the licensee is required to commence the*
 7 *construction of, a Federal Energy Regulatory Commission*
 8 *project under section 2, the Commission shall transfer such*
 9 *license to the town of Canton, Connecticut.*

10 **SEC. 4. ENVIRONMENTAL ASSESSMENT.**

11 (a) *DEFINITION.*—*For purposes of this section, the*
 12 *term “environmental assessment” shall have the same*
 13 *meaning as is given such term in regulations prescribed by*
 14 *the Council on Environmental Quality that implement the*
 15 *National Environmental Policy Act of 1969 (42 U.S.C.*
 16 *4321 et seq.).*

17 (b) *ENVIRONMENTAL ASSESSMENT.*—*Not later than*
 18 *180 days after the date of enactment of this Act, the Com-*
 19 *mission shall complete an environmental assessment for*
 20 *Federal Energy Regulatory Commission projects numbered*
 21 *10822 and 10823, updating, to the extent necessary, the en-*
 22 *vironmental analysis performed during the process of li-*
 23 *censing such projects.*

24 (c) *COMMENT PERIOD.*—*Upon issuance of the environ-*
 25 *mental assessment required under subsection (b), the Com-*
 26 *mission shall—*

1 (1) *initiate a 30-day public comment period;*
 2 *and*

3 (2) *before taking any action under section 2 or*
 4 *3—*

5 *(A) consider any comments received during*
 6 *such 30-day period; and*

7 *(B) incorporate in the license for the*
 8 *projects involved, such terms and conditions as*
 9 *the Commission determines to be necessary,*
 10 *based on the environmental assessment performed*
 11 *and comments received under this section.*

12 **SEC. 5. DEADLINE.**

13 *Not later than 270 days after the date of enactment*
 14 *of this Act, the Commission shall—*

15 (1) *make a final decision pursuant to paragraph*
 16 *(1) of section 2; and*

17 (2) *if the Commission decides to reinstate 1 or*
 18 *both of the licenses under such paragraph and extend*
 19 *the corresponding deadline for commencement of con-*
 20 *struction under paragraph (2) of such section, com-*
 21 *plete the action required under section 3.*

22 **SEC. 6. PROTECTION OF EXISTING RIGHTS.**

23 *Nothing in this Act shall affect any valid license issued*
 24 *by the Commission under section 4 of the Federal Power*
 25 *Act (16 U.S.C. 797) on or before the date of enactment of*

- 1 *this Act or diminish or extinguish any existing rights under*
- 2 *any such license.*

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